

## **6. Order for Evaluation for Non-Compliance with Clinical Conditions of Conditional Release**

The proposed order is for use when information is presented to the court that a NGRI acquittee who has previously been placed on conditional release pursuant to N.J.S.A. 2C:4-8(b)(2) and has either been: (1) non-compliant with the conditions of release or (2) the conditions of the discharge plan are no longer adequate to maintain the acquittee's mental health condition in the community. In such cases, if the mental health agency contacts the prosecutor's office regarding non-compliance or inadequacy of the treatment plan for the NGRI acquittee, upon motion of the prosecutor for a psychiatric evaluation, this form order may be used to have the individual evaluated by a screening service. The court may initiate its own proceeding on its own motion.

It is noted that counties have different means of handling transportation of individuals in need of emergent psychiatric assessments. This form order allows the court to enter the preferred method of transportation to the county designated screening service for psychiatric assessment of the individual. Transportation to the county designated screening service<sup>1</sup> may be by the county sheriff, through local police or through a designated mobile screener.<sup>2</sup>

The screening service shall evaluate the NGRI acquittee under the standards of N.J.S.A. 30:4-27-1 et seq. If the screening service finds civil commitment is medically necessary, then the service shall make application under N.J.S.A. 30:27-1 et seq. for inpatient civil commitment. The screening service should note on its application to the court that this individual holds a KROL acquittee status as well. The county adjuster shall inform the criminal court, prosecution and defense counsel of the hospitalization. In all cases the screening service will make its findings known to the court and parties so that they may proceed accordingly.

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<sup>1</sup> See the official list of designated screening services throughout New Jersey.

<sup>2</sup> It is noted that Human Service Police (HSP) do not transport Krol acquittees from the community to the designated screening service. It is outside the scope of the responsibility of HSP. See, generally, N.J.S.A. 30:4-14 et seq.